IN THE HIGH COURT OF JUDICATURE AT BOMBAY
SIDE JURISDICTION
CRIMINAL WRIT PETITION NO.453 OF 2007

Rajesh K. Luthra ...Petitioner.
V/s.
State of Maharashtra & Anr. ...Respondents.

Shri S.V.Marwadi, adv. for the Petitioner.
Smt.M.H.Mhatre, APP for the Respondent/State.
Shri M.D.Mali, adv. for the Respondent No.2.

CORAM: J.H.BHATIA, J.
DATE : 16th March, 2007.

P.C.:

1. Heard Mr.Marwadi, the learned counsel for the petitioner and Mr.M.D.Mali, the learned counsel for the respondent no.2, who is original first informant as well as Mrs.Mhatre, the learned APP for the State.

2. The respondent no.2 had lodged a complaint under Sections 406 and 420 against the present petitioner and the Additional Chief Metropolitan Magistrate directed the police to investigate under Section 156(3) of the Cr.P.C. On the basis of that L.T.Marg police station has registered M.E.C.R.No.14 of 2006 under Sections 406 and 420 of the I.P.C. According to the petitioner during the pendency of the investigation, amicable settlement has taken place between the parties and the complainant respondent no.2 has already addressed a letter dated 9-8-2006 to Senior

Inspector of Police, L.T.Marg Police Station that he does not want to prosecute the matter. By this petition, he seeks to quash the said proceeding in view of the settlement. Mr.Mali, the learned counsel for the respondent no.2 has no objection.

3. In view of circumstances noted above, the petition is allowed in terms of prayer clause (b).

(J.H.Bhatia,J.)